



## Community Services: Education

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To: Heads of all Educational Establishments

Dear Colleague

### **Leave of absence for teachers**

This education management circular sets out the procedures to be followed in connection with the granting of leave of absence to teachers in a variety of circumstances. It reflects national and local agreements. The circular does not relate to annual leave and does not cover leave as a result of illness or maternity. In all cases, the period of leave granted is inclusive of any travelling time required.

The provisions of this circular apply only to permanent teachers and to temporary teachers who are employed on a long-term (part-time or whole-time) basis. Teachers who are employed on a daily temporary basis will not normally be granted leave of absence.

Teachers who are seeking leave of absence should apply to the head teacher/campus principal, or in the case of teachers not based in schools, to the relevant line manager. A head teacher/campus principal should apply to the Executive Director.

The regulations on leave of absence for all employees of the Council including teachers, are based on the principle that employees should not make personal arrangements which conflict with the requirement that they be at work at times previously agreed by the employer other than in the circumstances outlined in this circular. Wherever possible, careful foresight should be exercised and requests for leave submitted well in advance. The need to ensure continuity of educational provision makes it particularly important that these general principles should be applied scrupulously.

In the past some misunderstandings have arisen in the granting of leave of absence without pay. While financial considerations are obviously important, the most important consideration in the mind of those granting leave of absence should be the avoidance of unnecessary interruption of education. There is not, therefore, any automatic right to

leave of absence without pay nor any supposition that such leave will be granted other than in accordance with this circular and the exigencies of the service. It is also important that any teacher who requests unpaid leave of absence should be informed that such leave constitutes a break in service that can affect superannuation payments and pension.

The Scheme of Salaries and Conditions of Service for Teaching Staff in School Education sets out the contractual position of regarding which special leave may be granted to teachers. The relevant sections of the scheme are reproduced as appendix 1 to this circular.

For convenience, this circular divides requests for leave of absence into 3 categories that are dealt with separately in the sections that follow. It should be noted, however, that all requests for more than 2 days leave in any of the categories should be referred to the Executive Director.

Category 1 - relates to requests for leave under circumstances defined in the Scheme of Salaries and Conditions of Service for Teaching Staff in School Education.

Category 2 - relates to requests for leave of absence of up to 2 days which the head teacher/campus principal is empowered to grant subject to the exigencies of the service. Should teachers seek a longer period of leave in relation to any of the circumstances defined under category 2, the head teacher/campus principal should refer the request for additional leave to the Executive Director.

Category 3 - relates to all requests for leave not falling into categories 1 and 2, including all requests for periods of leave of more than 2 days. All requests for leave in terms of category 3 must be referred to the Executive Director.

## **1 Category 1**

### **1.1 Court attendance**

#### **(a) Jury service**

The head teacher/campus principal should inform the Executive Director and obtain for the teacher an official note of salary expressed as a daily rate. The teacher is under an obligation to reimburse the authority for any loss of earnings allowance received under the Jurors Allowance Regulations and accordingly must claim this allowance.

#### **(b) Witness**

Where the teacher is called as a witness by the authority the teacher shall be regarded as being on authorised school business. However, when the teacher is called as a witness by other persons the absence will be treated as special leave with pay. The teacher shall be under an obligation to reimburse the authority for any loss of earnings allowance that is recoverable from the person(s) issuing the citation and accordingly must claim the allowance.

## 1.2 Preventative medical examinations

Teaching staff shall be entitled to take such reasonable time off without loss of pay as is required for the purpose of preventative medical examinations.

## 1.3 Serious family illness

Up to 3 days paid leave of absence shall be granted owing to the serious illness of a near relative, in-law, cohabitee or foster parent. Sympathetic consideration may, however, be given to requests involving relatives other than those listed above.

The Executive Director should be informed by the head teacher/campus principal of leave granted. If more than 2 days leave is required, the head teacher/campus principal should pass the request to the Executive Director. Leave which is granted beyond 3 days will normally be without pay.

## 1.4 Family bereavement

Up to 5 days paid leave shall be granted for relationships as listed in 1.3 although other relationships may be taken into account if the teacher is required to make funeral arrangements.

The Executive Director should be informed by the head teacher/campus principal of leave granted. If more than 2 days leave is required, the head teacher/campus principal should pass the request to the Executive Director. Leave which is granted beyond 5 days will normally be without pay.

## **2 Category 2**

This section deals with requests for leave of up to 2 days which may be granted by a head teacher/campus principal provided that the exigencies of the service permit. Notice of such leave must be sent by the head teacher/campus principal to the Executive Director.

Requests for leave which falls outwith the head teacher's/campus principal's jurisdiction, or any requests to extend the conditions outlined must be referred to the Executive Director along with a recommendation and any other details.

### 2.1 Less than full day for personal business

If the head teacher/campus principal is satisfied that the request is reasonable, short periods of less than a day can be granted with pay.

### 2.2 To attend for interview for another post

Up to 1 day with pay can be granted for each post. If considerable travelling is involved, a second day may be granted.

### 2.3 To attend a funeral

Up to 2 days may be granted, only one of which may be with pay. Note also the conditions on family bereavement (1.4).

### 2.4 To attend a wedding

Up to 2 days may be granted, only one of which may be with pay. This paragraph does not refer to the teacher's own wedding (see section 3.1).

### 2.5 House removal

Where a removal cannot be arranged for a holiday period, up to 2 days leave of absence may be granted. One day shall be with pay, the second, if required, shall be without pay except where the removal is to a remote area.

### 2.6 To undertake local authority business

Leave can be granted without pay, up to a maximum of 2 consecutive days at each time of asking, to teachers who are elected members of local authorities outwith Argyll and Bute. The Executive Director should be specifically informed of each absence. The Executive Director of Community Services is empowered to agree special arrangements in the case of provosts, council leaders and others holding very senior positions. Any such arrangements will be made known to the head teacher of the school concerned.

### 2.7 To attend meetings of public statutory bodies such as health boards or community councils

Leave of absence will normally be granted without pay to teachers who are members of public statutory bodies. Where there is a considerable benefit to the education service leave of absence with pay can be granted. The Executive Director should be specifically informed of each absence.

### 2.8 To serve on children's panels or as a Justice of the Peace

Leave can be granted without pay, up to a maximum of 2 consecutive days at each time of asking. The Executive Director should be specifically informed of each absence.

### 2.9 Holidays or festivals of religious or ethnic groups

Two days with pay may be granted by a head teacher/campus principal in any one year. Requests for leave beyond 2 days should be referred to the Executive Director who is empowered to grant further leave, not more than one day of which will be with pay. The total leave in any one year should not exceed 5 days.

### 2.10 Religious ceremonies of a family nature

Up to 1 day's leave of absence with pay may be granted to attend the ordination of, or similar service for, a near relative. Requests for additional leave, which will

normally be without pay, should be referred by the head teacher to the Executive Director with a recommendation and any other details.

2.11 To attend the National Mod as a competitor or as an adjudicator

Two days leave of absence with pay may be granted by a head teacher/campus principal. Requests for leave beyond 2 days should be referred to the Executive Director who is empowered to grant further leave, not more than 1 day of which will be with pay.

2.12 To attend the national conference of a political party

Two days leave of absence without pay may be granted by a head teacher/campus principal. Requests for leave beyond 2 days should be referred to the Executive Director.

2.13 Work of the GTC, Learning and Teaching Scotland, SQA or other approved bodies

Leave of absence with pay will normally be granted to teachers who have been invited to participate in the work of such professional bodies provided that the exigencies of the service permit. Requests for leave beyond 2 days should be referred by the head teacher/campus principal to the Executive Director with a recommendation and any other details including whether suitable arrangements can be made for the teacher's duties to be covered.

**3 Category 3**

This section deals with requests for leave of absence which must be referred to the Executive Director. These include:

- requests for leave for reasons not covered in sections 1 and 2;
- requests for leave for reasons covered in sections 1 and 2 but where the terms requested exceed those already granted.

Other than in exceptional circumstances (when a period of advance notice may be waived or reduced) all applications for leave of absence in this category shall be made in writing to the head teacher/campus principal not less than 2 weeks in advance of the period of absence. When transmitting the request to the Executive Director the head teacher/campus principal shall state if he/she approves the request and, in the event of the request being granted, whether suitable arrangements can be made for the teacher's duties to be covered. The Executive Director will intimate his or her decision to the teacher and state whether any leave granted is to be with, or without, salary.

In reaching decisions the Executive Director will take account of the following guidelines.

### 3.1 Marriage during term time

Leave of absence will not normally be granted during the school term time. Only in very exceptional circumstances (for example when the spouse to be is in the armed forces and is unable to take leave during the school holiday period) will a limited period of leave be granted. Requests to attend weddings as a guest are dealt with in section 2.4.

### 3.2 Holidays during term time

Apart from compensatory time off in lieu as defined in the Scheme of Salaries and Conditions of Service for Teaching Staff in School Education section 11.8.1 leave with or without pay is not normally granted during term time.

### 3.3 Accompanying spouse on holidays and business trips

Leave of absence will not normally be granted for this purpose. Any leave granted in exceptional circumstances will be without pay.

### 3.4 Attendance at exhibitions of the teacher's own work

Leave of absence will not normally be granted for this purpose. Any leave granted in exceptional circumstances will be without pay.

### 3.5 Leave to undertake authorised expeditions of an educational nature

Leave may be granted, without pay, for this purpose. Where the teacher undertakes work which is of significant benefit in educational terms a limited amount of leave with salary may be granted.

### 3.6 Leave in connection with parliamentary elections

Leave of absence, without pay, will be granted to teachers who are parliamentary candidates or election agents. The leave will be granted at the time of an election and will be for a maximum period of 4 weeks. Requests for leave as the spouse of a candidate will not normally be granted.

### 3.7 Leave in connection with local authority elections

Leave of absence, without pay, will be granted to teachers who are local authority candidates or election agents. The leave will be granted at the time of an election and will be for a maximum period of 1 week. Requests for leave as the spouse of a candidate will not normally be granted.

### 3.8 Attendance at an annual camp of TAVR/RNVR

Teachers who are members of the non-regular armed forces and who attend an annual training camp will be granted special leave with pay for the period during which they attend the camp but for not more than 15 days. The salary paid will be subject to the deduction of service pay and allowances received in respect of the period of leave.

### 3.9 Meetings or conferences of an educational or religious nature

Leave may be granted where an applicant has been selected to attend certain significant conferences or meetings of an educational or religious nature in a representative capacity. Leave will be granted with salary subject to the deduction of any bursary or other payments made. Other than in exceptional circumstances the period of leave will not exceed 5 days.

### 3.10 Attendance at annual meetings of organisations such as Ladies' Circle, Rotary and Round Table

Leave of absence will not normally be granted for this purpose. Leave of absence may be granted exceptionally in the case of teachers holding important office in such organisations.

### 3.11 Participation in cultural events

Leave of absence will only be granted where the cultural event is of national or international significance. Such leave of absence will normally be without pay.

### 3.12 Playing sport in a national championship

Leave of absence, without pay, may be granted for this purpose.

### 3.13 Participation in international amateur sporting events

Where a teacher is asked to represent his/her country at international level leave of absence will normally be given. Requests may relate to duties such as being the national coach or umpiring/refereeing at national events. Leave shall normally be with pay subject to the deduction of loss or earnings allowance or other payments made.

### 3.14 Sports coaching

Leave of absence will not normally be granted for this purpose except in the circumstances outlined in section 3.13.

### 3.15 Study tours

Leave of absence will normally be granted where the applicant has been selected to undertake certain study tours of direct benefit to the education service by enhancing the applicant's experience relative to the teaching post held, eg under a Churchill Fellowship, Racial Equality Bursary etc. Leave shall normally be with pay subject to the deduction of bursary or other payments made.

### 3.16 Study leave

Study leave with or without pay may be granted to assist teachers undertaking approved qualifying courses. The conditions relating to this are laid down in education management circular 2.11.

### 3.17 Accompanying groups of children

Leave may be granted to teachers who have been selected to accompany groups of children, other than their immediate charges, who have gained a study trip from an external body. Leave shall normally be with pay subject to the deduction of any grants made to the teacher.

### 3.18 Leave for adoption purposes

An employee who has less than 26 weeks' continuous service prior to the week in which she/he is notified of being matched with a child for adoption is entitled to 52 weeks' adoption leave without pay.

An employee who has 26 weeks' continuous service prior to the week in which she/he is notified of being matched with a child for adoption will be entitled to be paid:

- (a) occupational adoption pay (OAP) and statutory adoption pay (SAP) for the first 13 weeks; taken together these payments will be equal to the employee's normal salary;
- (b) SAP for the next 26 weeks provided that the employee's average weekly earnings are not less than the lower earnings limit for national insurance contribution liability.

### 3.19 Voluntary Service Overseas

Where suitable educational arrangements can be made which would allow the teacher to be released, leave of absence without pay for up to 23 months may be granted.

### 3.20 Compassionate leave

In exceptional circumstances the Executive Director is empowered to grant extended leave of absence without pay, following discussion with the head teacher/campus principal.

### 3.21 Attendance at meetings of trade unions or professional associations

See appendix 1.

## **4 Appeals**

Where a teacher feels that extenuating circumstances have not been fully recognised in the consideration of an application at local level, the matter should be referred to the Executive Director of Community Services for consideration.

Reason for request	Section of circular	Maximum days with pay	Maximum days without pay	Comments
Court attendance (witness or juror)	1.1	Time required		Teacher to be furnished with an official note of daily rate (jury service). Teachers must recover loss of earnings allowance and reimburse the authority (jury or witness)
Preventative medical examinations	1.2	Normally less than 1		Head teacher should be satisfied that the request is reasonable
Serious family illness	1.3	3		Inform Executive Director. Requests for leave of more than 2 days should be forwarded to Executive Director by head teacher with recommendation
Family bereavement	1.4	5		Inform Executive Director. Requests for leave of more than 2 days should be forwarded to Executive Director with recommendation
<b>Category 2</b>		<b>Up to 2 can be authorised by the head teacher</b>	<b>Further leave must be referred to the Executive Director</b>	<b>The Executive Director should be informed of all leave granted by the head teacher under category 2</b>
Personal business	2.1	Less than 1	0	Head teacher/campus principal should be satisfied that the request is reasonable
Interview for another post	2.2	1	1	Second day only granted if considerable travelling is involved
Attend a funeral	2.3	1	1	Second day only granted if considerable travelling is involved
Attend a wedding	2.4	1	1	Second day only granted if considerable travelling is involved. Does not refer to the teacher's own wedding
House removal	2.5	1	1	Only where the house removal cannot be arranged during a holiday period
Attend a meeting of a local authority	2.6	0	2	Inform Executive Director of each absence. The Executive Director of Community Service is empowered to agree special arrangements in the case of teachers holding very senior positions
Attend meetings of public statutory bodies	2.7		1	Leave without pay is normally granted. However, if there is an obvious resultant benefit to the education service, leave with pay can be granted. Requests for leave with pay should be forwarded to the Executive Director by the head teacher with recommendation including whether the teacher's duties can be covered

Reason for request	Section of circular	Maximum days with pay	Maximum days without pay	Comments
To serve as a Justice of the Peace or on a children's panel	2.8	0	2	The Executive Director should be informed of each absence
Holidays or festivals of religious or ethnic groups	2.9	2 (in any one year)	3	The Executive Director is empowered to grant a further day's leave with pay. Total leave should not exceed 5 days
Religious ceremonies of a family nature	2.10	1		The Executive Director is empowered to grant a further day's leave with pay
To attend the National Mod	2.11	3		The Executive Director is empowered to grant a further day's leave with pay. Total leave should not exceed 5 days
To attend the national conference of a political party	2.12	0	2	The Executive Director should be informed. Additional leave without pay may be granted by the Executive Director. Requests for further leave should be forwarded to the Executive Director by the head teacher with recommendation including whether the teacher's duties can be covered
To carry out the work of bodies such as the GTC, SQA or LTS	2.13	As required		Referral to the Executive Director by the head teacher with a recommendation including whether the teacher's duties can be covered
<b>Category 3</b>				<b>Must be referred to the Executive Director</b>
Marriage during term time	3.1	0	Short period only	Referral to the Executive Director by the head teacher with a recommendation. Leave will only be granted in very exceptional circumstances. This refers only to a teacher's own marriage
Holidays during term time	3.2			Leave will not normally be granted
Accompanying spouse on business trips	3.3			Leave will not normally be granted
Attendance at exhibitions of teacher's own work	3.4			Leave will not normally be granted
To undertake expeditions	3.5		As required	Leave without pay may be granted. Referral to the Executive Director by the head teacher with a recommendation including whether the teacher's duties can be covered. Where there is significant benefit to the authority some leave with pay may be granted

Reason for request	Section of circular	Maximum days with pay	Maximum days without pay	Comments
To be a parliamentary candidate or election agent	3.6	0	20	Requests for leave as the spouse of a candidate or agent will normally be refused
To be a candidate or election agent in a local authority election	3.7		5	Requests for leave as the spouse of a candidate or agent will normally be refused
Attendance at annual camp of TAVR/ RNVR	3.8	15	0	Service pay and allowances should be deducted in respect of the period of leave
To attend meetings or conferences of a religious or educational nature	3.9	5		Leave may be granted with pay, although any bursary or grant should be deducted
Attend meetings of organisations such as Ladies Circle, Rotary or Round Table	3.10	0	0	Leave of absence may exceptionally be granted for teachers holding important office
Participation in cultural events	3.11		As required	Only granted if the event is of significant national or international importance
Participation in amateur sporting events	3.13	As required subject to deduction of any payment/ bursary available	As required	Only granted if the event is of significant national or international importance. Consideration will also be given to requests to referee, umpire or coach at a national level
Study tours	3.15	As required subject to deduction of any payment/ bursary available		Only granted where the study tour will be of direct benefit to the education service
Study leave	3.16	As required	As required	To assist teachers undertaking approved qualifying courses. The conditions relating to this are laid down in education management circular 2.11
Accompanying groups of children other than the immediate charges of the teacher	3.17	As required subject to deduction of any payment/ bursary available		Will be granted where there has been an award from an external body

Reason for request	Section of circular	Maximum days with pay	Maximum days without pay	Comments
Leave for adoption purposes	3.18		29 weeks	Commence on the day on which the adoptive mother receives the child
Voluntary Service Overseas	3.19		23 months	Will only be granted where suitable educational arrangements can be made
Compassionate leave	3.20		As required	Referral to the Executive Director by the head teacher/campus principal with a recommendation including whether the teacher's duties can be covered
Trade union duties	Appendix 1	As required		Leave will be granted for duties as outlined in 3.19.2 of this circular
Trade union activities	Appendix 1	0		Leave will be granted for duties as outlined in 3.19.3 of this circular
Office bearer in one of the major professional associations/trade unions	Appendix 1	Maximum of 25 unless previously agreed by the Executive Director		Teacher must make application for leave for individual duties. An estimate of the time and dates required should be submitted to the Executive Director by the teacher/campus principal at the start of the session. The head teacher/campus principal should make a monthly return of all leave
Appeals	4			Referred to the Executive Director of Community Services

Yours sincerely

Executive Director of Community Services

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## **Appendix 1**

### **Argyll and Bute Council: Community Services: Education**

#### **Non contact time of teachers for certain trade union duties**

Education management circular 2.24 provides information on leave of absence for teaching staff. There are however other aspects of the work of school representatives and other lay officials not covered by the circular and guidance is appended below.

#### **1 Attendance at meetings of trade unions or professional associations**

- 1.1 Teachers may request leave of absence for a number of purposes as a result of their membership of trade unions/professional associations. The term 'professional association' is used in this context to define bodies such as PAT, HAS and AHTS rather than interest groups such as the Association of Advisers etc.
- 1.2 Minimum entitlements in relation to time off in connection with the business of trade unions are set out in the Employment Protection (Consolidation) Act 1978. The legislation makes a distinction between trade union duties, for which time off is given with pay and trade union activities for which time off is given without pay. Trade union duties include matters such as attendance at negotiating meetings and representing members at grievance and disciplinary hearings. Trade union activities may involve participation in a wide range of business other than that immediately concerned with industrial relations matters.
- 1.3 The authority's policies are based on the statutory requirements but also take into account local agreements made with the teachers' trade unions. In deciding how much leave of absence may be given, and on what basis, the following general principles will be applied.
  - (a) Release of teachers in connection with the business of trade unions and professional associations will be subject to the exigencies of the service and will require the specific permission of the Executive Director.
  - (b) Subject to paragraph (a) above, teachers will be granted leave of absence with pay:
    - i to attend local and national negotiating meetings;
    - ii to represent members at grievance and disciplinary hearings and at industrial tribunals;
    - iii to represent their trade unions on certain educational bodies;
    - iv to undertake approved training relating to their duties as trade union representatives;
    - v in connection with other duties directly concerned with industrial relations matters.

- (c) Teachers will be granted leave of absence with pay for attendance at the annual conference of the trade union provided that no additional costs accrue to the education authority. Where any difficulty occurs in the implementation of this the secretary of the teachers' side will discuss the matter with the Executive Director.
- (d) Teachers will be granted leave of absence, which will normally be without pay, for certain trade union activities such as attendance at other specially convened conferences or meetings of the policy making body of the union which do not directly concern this authority.

These general guidelines will be applied in specific circumstances as noted in the following paragraphs.

- (a) Where a member of the teaching staff has been elected to high office in one of the major trade unions or professional associations, he/she will be granted additional leave to allow the wider duties of the post held to be undertaken effectively. The actual amount of additional leave to be granted will be determined by the Executive Director. Where the teacher accepts a convenership or vice convenership of a national body he/she will, with the agreement of the Executive Director, be treated more favourably than the general provisions made below.

Such exceptional circumstances should be taken into consideration in the staffing arrangements made for the school involved. Any additional staffing allocated however, must come from the flexibility factor element of overall staffing.

- (b) In all other cases, a limit will be set on the amount of leave granted in any one session. In normal circumstances the leave limit will be equivalent to 25 days (FTE). The maximum amount of leave will only be granted where the full 25 days is actually required. Teachers applying for such leave must seek the approval of the Executive Director. The 25 days will include time for all activities. Where the teacher is appointed by the trade union to represent it on an outside body such as the Learning and Teaching Scotland, SQA, or committees of these or other bodies of a professional nature, time for attendance shall be included within the 25 days. Where teachers who are trade union officials are separately elected to such bodies, time for attendance shall not be included within the 25 days limit.
- (c) At the start of each session, teachers involved must indicate the time which they estimate will be required for trade union duties. This will include attendance at the AGM of the association, executive meetings approved as duties, STUC conferences, JSC, national and local negotiating meetings etc. Thereafter, the remaining time may be requested for other activities in which the teacher is involved as a result of his/her union membership. It is recognised that it is

difficult to estimate in advance the number of days required for trade union duties. Nevertheless, past experience should provide a relatively accurate guide.

- (d) The onus is on the teacher to make application for leave for individual duties and activities as defined in paragraph (c) above.
- (e) The head teacher/campus principal must make a return on the last day of each month indicating the date and time all teaching members of staff (including the head teacher/campus principal) have been out of school for any of the above purposes and the specific reason for this on each occasion.
- (f) Where difficulties arise in handling individual applications, reference should be made to the Executive Director of Community Services. In certain cases, the Executive Director will contact the general secretary of the professional association/trade union or his/her nominated representative to clarify the situation before a final decision is reached.

#### **4 School representatives**

4.1 A school representative is a member of a teacher trade union elected by members of that union within a school staff as a lay official to carry out trade union duties such as the following:

- (a) informing union members in the school about negotiations or consultations with management;
- (b) meetings with other lay officials or full time union officers to discuss business of an industrial relations nature;
- (c) interviews with and on behalf of union members at school level on grievance and disciplinary matters;
- (d) explanations to new employees or new union members of the role of the union at school level;
- (e) arranging for the balloting of school union members including the dissemination of related information to members prior to balloting.

4.2 To assist in essential preparation for and final discharge of these duties, not all of which need necessarily be carried out during the school day for children and young people, the following standing weekly allocation of time off within the school day for children and young people to be spent within the school itself should be made.

Number of members represented	Amount of time off
1 to 10	No specific standing time allowed; time off negotiated as required

11 to 40	Approximately 50 minutes (or one school period in secondary school)
41 and over	Approximately 100 minutes (or 2 school periods in secondary school)

- 4.3 The above allocation of time off within the school day for children and young people is additional to that amount of non class contact time per week to which all teachers are entitled in terms of their conditions of service.
- 4.4 The granting of time off in any given instance remains subject to the exigencies of the service but would not normally be refused. While it is a management decision appeal might of course be made; see paragraph 9.1 below.
- 4.5 While the time allocated above is within the recognised school day, meetings of union members should normally be held outwith the school's class teaching time. Where matters of urgency arise which could not have been foreseen a school representative may seek the necessary permission from the head teacher/campus principal to have a meeting during the day. In any event 3 meetings of union members each lasting not more than 1 hour during in-service days or planned activity time may be scheduled each session; the timing of these meetings should be arranged in advance with the agreement of the head teacher of the school.

## **5 Facilities for school representatives**

- 5.1 The authority will provide, where practicable, reasonable facilities for the school representative to undertake his/her duties. This will include access to a telephone in privacy and space for preparation and storage of materials provided by the trade union. Access will also be provided for duplication on the understanding that any costs entailed may be recovered from the trade union concerned. Where there are competing demands on facilities and office staff time, the head teacher/campus principal shall determine priorities.

## **6 Training in trade union matters**

- 6.1 School representatives shall be entitled, subject to the exigencies of the service, to time off for appropriate training in trade union matters. Requests for such leave should be passed to the Executive Director of Community Services for his or her consideration.

## **7 Local elected officials**

- 7.1 A local elected official is a member of a teacher trade union elected by a trade union local association as a lay official of the association to carry out trade union duties such as the following:

- (a) informing union members within the local association about negotiations or consultation with management;
- (b) meetings with members in situations where industrial relations issues require consideration prior to, during or following consultation with representatives of the authority as employer;
- (c) meetings with representatives of the employer;
- (d) meetings with other lay officials or full time union officers to discuss business of an industrial relations nature;
- (e) interviews with and on behalf of union members on grievance and disciplinary matters.

7.2 Each local association, depending on size, will be allocated teacher cover up to a total of 0.2 FTE for the authority to allow specified office bearers to carry out aspects of the above duties which require to be discharged during the school day. The distribution of this time among the nominated officials shall be agreed in conjunction with the Executive Director.

7.3 This arrangement does not preclude the involvement of local elected officials on trade union duties beyond this aggregated amount of time in any given week provided that beyond the stated limit classes are covered internally by the school staffs concerned.

In such circumstances applications for leave of absence should be made to the Executive Director in advance of each occasion where time off is necessary. While cover for the teacher's absence will normally be made by colleagues in the schools involved, it will be provided by the authority where the staffing situation in the school, as perceived by the head teacher at the time, makes this essential to provide continuity of education for the pupils involved. The provision of cover is contingent on the authority being able to secure the services of a suitably qualified replacement teacher.

7.4 Existing arrangements will not be altered in favour of the above unless such a change is requested by the local association concerned.

7.5 The granting of time off in any given instance remains subject to the exigencies of the service but would not normally be refused. While it is a management decision, appeal might of course be made; see paragraph 9.1 below.

## 8 **Authority office bearers, JSC representatives and members on national bodies**

This category covers any member of a teacher trade union elected as:

- (a) a lay office bearer of the local executive body of the union;
- (b) a member of the joint service committee (education);

(c) a member of the national body of the union and/or a union representative on the SJNCTSSE;

to carry out trade union duties such as the following:

- (a) informing union members about negotiations or consultations with management;
- (b) meetings with members in situations where industrial relations issues require consideration prior to, during or following consultation with employer representatives;
- (c) meetings with employer representatives;
- (d) meetings with other lay officials or full time union officers to discuss business of an industrial relations nature;
- (e) attending meetings of the union national body or its sub-committee when business of an industrial relations nature is to be transacted;
- (f) attending meetings of the SJNCTSSE including meetings of the teachers' side only.

8.2 To allow release for those aspects of these trade union duties which require to be carried out during the school day for pupils, time off with cover shall be arranged by the head teacher/campus principal as required (subject to 8.3 below) for trade union members in the categories 8.1(a) - (c) above provided that, except in emergency situations, reasonable notice with the reason for absence is given to the head teacher (or in the case of the member being a head teacher to the Executive Director of Community Services) and on the understanding that where the services of a suitably qualified teacher cannot be obtained the staff of the school concerned shall cover internally the classes of the union member being released.

8.3 The total time off for all trade union duties and activities for teachers in this category remains subject to a normal maximum of 25 days FTE in any session save for teachers elected to high office in one of the major teacher trade unions who by negotiation with the Executive Director may be granted additional leave to allow the wider duties of the post held to be undertaken effectively.

8.4 The granting of time off in any given instance remains subject to the exigencies of the service but would not normally be refused. While it is a management decision, appeal might of course be made; see paragraph 9.1 below.

## **9 Appeals**

9.1 Disputes relating to the operation of this agreement should be resolved by means of the normal procedure for settling grievances. Exceptionally, however, should a dispute arise in relation to the granting of time off within the scope of this agreement, in circumstances where delay would render void the initial request for time off, then the matter should be raised direct by the secretary of the teachers' side

of the Joint Service Committee with the appropriate member of the directorate. This officer will conduct a review of the position as a matter of urgency. In the event that the teacher involved continues to remain dissatisfied, then a grievance may be raised under the grievance procedure with the hearing being conducted at the next appropriate level.